

CORPORATION OF THE CITY OF NEW WESTMINSTER
ZONING AMENDMENT BYLAW (228 SEVENTH STREET)
NO. 8373, 2023

A Bylaw to Amend Zoning Bylaw No. 6680, 2001

WHEREAS the Local government Act authorizes a municipality to zone areas of land and to make regulations pursuant to zoning,

WHEREAS the Council has adopted a zoning bylaw under Part 14 of the *Local Government Act*, and wishes to amend the bylaw,

THE CITY COUNCIL of the Corporation of the City of New Westminster, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as “Zoning Amendment Bylaw (228 Seventh Street) No. 8373, 2023.”
2. The Lands that are the subject of this bylaw are shown as outlined in bold on the map attached to this bylaw as Schedule B, and are referred to in this bylaw as the “Subject Lands”,
3. Zoning Bylaw No. 6680, 2001 is amended by:
 - a) Adding as a new section, to be numbered section 1099, the regulations attached to this bylaw as Schedule A.
 - b) Changing the zoning designation of the Subject Lands from “Single Detached Residential Districts (RS-1)” to “Comprehensive Development District (228 Seventh Street) (CD-99)”; and,
 - c) Updating the Zoning Map annexed as Appendix “A” to Zoning Bylaw No. 6680, 2001 to record this zoning change.

Public Hearing not held, notice published February 2, 2023 and February 9, 2023, 2023.

GIVEN FIRST READING this 13th day of February, 2023.

GIVEN SECOND READING this 13th day of February, 2023.

GIVEN THIRD READING this 13th day of February, 2023.

ADOPTED this _____ day of _____, 2023.

MAYOR PATRICK JOHNSTONE

JACQUE KILLAWEE, CITY CLERK

Schedule A to Zoning Amendment Bylaw No 8373, 2023

Comprehensive Development District (228 Seventh Street) (CD-99)



Comprehensive Development District (228 Seventh Street) CD-99

1099 Comprehensive Development District (228 Seventh Street) (CD-99)

- 1099 .1 The intent of this District is to allow a residential substance use treatment and support recovery centre at a low density.

Permitted Principal and Accessory Uses

- 1099 .2 The following principal and accessory uses are permitted in the CD-99 zoning district. For uses accompanied by a checkmark, there are either Use Specific Regulations in the Conditions of Use within this zoning district or within the General Regulations or Special Conditions Sections of this Bylaw:

Permitted Principal Uses	Use Specific Regulations
<i>Substance use treatment and support recovery centre;</i>	
All principal and accessory uses permitted in the Single Detached Residential Districts (RS-1) zoning schedule shall be permitted in the Comprehensive Development District (228 Seventh Street) CD-99 zone.	✓
Permitted Accessory Uses	Use Specific Regulations
<i>Uses accessory to any permitted principal uses.</i>	✓

Definitions

- 1099 .3 Despite definitions elsewhere in the Bylaw, the following shall be defined as noted below for the purposes of this Zoning District:
- 1099 .4 **Substance use treatment and support recovery centre** means any Provincially licensed or registered facility that provides residential accommodation and recovery-oriented services to residents and adjunct services to others.
- 1099 .5 **Residential accommodation** means the use of a building as accommodation for residents receiving support services provided by a *substance use treatment and support recovery centre* that includes temporary lodgings, sometimes board.



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- 1099 .6 **Floor area** means the numerical value determined by measuring the horizontal cross-sectional area of all buildings on a site to the outside of the outer walls at each storey and calculating the total of all such areas, excluding:
- (a) Any area having a floor to ceiling height of 1.22 metres (4 feet) or less.
- 1099 .7 **Floor space ratio** means the numerical value determined by dividing the floor area on a site by the site area.

Conditions of Use

- 1099 .8 Where the principal use of the site is *substance use treatment and support recovery centre*, and a detached accessory building contains uses accessory to this principal use, Section 1099.18 of this bylaw shall apply.
- 1099 .9 Where the principal use of the site is not *substance use treatment and support recovery centre*, RS-1 district standards shall apply.
- 1099 .10 Where the principal use of the site is *substance use treatment and support recovery centre*, residential accommodation may be provided in the detached accessory building, provided all Building Permits required for the conversion of the space to residential use have been obtained.
- 1099 .11 Detached accessory dwelling units shall be developed to RS-1 district standards, provided that detached accessory dwelling units are a permitted use only for lots which are designated ‘(RD) Residential Single Detached and Semi-Detached Housing’ or ‘(RGO) Residential – Ground Oriented Infill Housing’ in the City of New Westminster Official Community Plan.

Density – Principal Building Area

- 1099 .12 The total floor space ratio shall not exceed a factor of 0.5.
- 1099 .13 The maximum floor space ratio on a parcel may be increased by:
- (a) 0.01 if the building meets Step 3 of the Energy Step Code;
- (b) 0.03 if the building meets Step 4 of the Energy Step Code; or
- (c) 0.05 if the building meets Step 5 of the Energy Step Code, or is a Passive House.



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Site Area and Frontage

- 1099 .14 A site shall not be less than 492.39 square metres (5,300 square feet) in area and shall have a frontage of not less than ten percent (10%) of its perimeter.

Principal Building Envelope

- 1099 .15 All *principal buildings* and *structure* shall be sized and sited according to the following:

Regulation	Requirement
Minimum Front Yard	5.79 metres (19 feet), twenty percent (20%) of the depth of the site, or the average depth of the front setback of existing principal buildings on sites on either side of the site, whichever is less.
Minimum Rear Setback	7.62 metres (25 feet) or twenty percent (20%) of the depth of the site, whichever is less.
Minimum Side Setback	A minimum of 1.22 metres (4.0 feet).
Maximum Building Height	7.62 metres (25 feet), or 8.84 metres (29 feet) for a principal building that meets Step 5 of the Energy Step Code, or is a Passive House.
Maximum Peak Height	10.67 metres (35 ft.) from height datum.
Maximum Site Coverage	Thirty five percent (35%).

Projections

- 1099 .16 Projections are permitted in accordance with the relevant provisions of the 'Projections into Yards' portion of the General Regulations section of this Bylaw.

Attached Accessory Structures

- 1099 .17 The combined area of all accessory structures attached to the principal building shall not exceed ten percent (10%) of the site area.

Detached Accessory Building without Detached Accessory Dwelling Unit Regulations

- 1099 .18 Detached accessory buildings that contain uses accessory to *substance use treatment and support recovery centre*:



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- (a) Shall not exceed a total floor space ratio of 0.26, except that the maximum total floor space ratio may be increased by:
 - (i) 0.01 if the building meets Step 3 of the Energy Step Code;
 - (ii) 0.03 if the building meets Step 4 of the Energy Step Code;
or
 - (iii) 0.05 if the building meets Step 5 of the Energy Step Code,
or is a Passive House.
- (b) Shall not exceed two storeys;
- (c) Shall not exceed a peak height of 7.3 metres (23.95 feet);
- (d) The combined area of all accessory structures attached to the detached accessory building shall not exceed 14% of site area;
- (e) Shall not be located in the front yard;
- (f) Shall not be located less than twice the width of the minimum required side setback from the window of a habitable room on an adjoining site unless such a window is entirely above the roof line of the accessory building;
- (a) If the detached structure contains a carport, areas designated for parking, as required by this Bylaw, shall not be located closer to a lane than 6.71 metres (22 feet), less the width of such a lane;
- (g) Shall not be less than 4.57 metres (15 feet) from the corner of the site at an intersection of a lane and a lane; and,
- (h) Shall not be less than 1.52 metres (5 feet) from any rear or side site line bounded by a street.

Off-Street Parking and Loading Requirements

- 1099 .19 Off-street parking shall be provided in accordance with the provisions of the Off-Street Parking Regulations section of this Bylaw, except that where principal use of the site is *substance use treatment and support recovery centre*, the following provisions shall apply:
- (a) A minimum of 2 off-street parking spaces shall be provided;
 - (b) Neither a visitor nor a loading space is required to be provided; and,
 - (c) Bicycle parking is not required to be provided.



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Locked-in Lot Provisions

- 1099 .20 The Locked-in Lot provisions in Section 170.1 of the Zoning Bylaw shall not apply, where principal use of the site is *substance use treatment and support recovery centre*.

Schedule B to Zoning Amendment Bylaw No 8373, 2023

**Area to be Rezoned to Comprehensive Development District
(228 Seventh Street) (CD-99)**

